

Notice of Allowability

Application No.

10/666,124

Examiner

Usman Khan

Applicant(s)

SILVERBROOK ET AL.

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to response and terminal disclaimer filed on 12/30/2007.

2. ☐ The allowed claim(s) is/are 1-6, 8-16, 19-28, and 30-38.

3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some* c) ☐ None of the:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☒ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

DETAILED ACTION

Terminal Disclaimer

The terminal disclaimer filed on 12/30/2007 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US 7,286,169 B2 has been reviewed and is accepted. The terminal disclaimer has been recorded. The rejection of double patenting cited in the office action dated 10/01/2007 has been withdrawn due to the filing of the terminal disclaimer.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Regarding claim 8:

"The camera of claim 7 wherein the instruction reader is [...]" have been amended to -- **The camera of claim 1 wherein the instruction reader is [...]** --.

The application has been amended as follows:

Regarding claim 18:

“The camera system of claim 17 wherein the primary instruction reader is [...]”
have been amended to -- **The camera system of claim 9 wherein the primary**
instruction reader is [...] --.

The application has been amended as follows:

Regarding claim 30:

“The method of claim 29 wherein the step of: [...]” have been amended to -- **The**
method of claim 21 wherein the step of: [...] --.

Allowable Subject Matter

Claims 1 – 6, 8 – 16, 18 – 28, 30 - 38 are allowed.

The following is an examiner’s statement of reasons for allowance:

Regarding independent **claim 1**, the prior art of record fails to teach or fairly suggest an instruction reader adapted to read at least one image manipulation instruction disposed in or on a manipulation instruction printed medium, the instruction reader being adapted to provide the at least one image manipulation instruction to the image manipulator, the image manipulator being adapted to manipulate the captured image to form tile manipulated image in response to receiving the at least one image manipulation instruction; in combination with other elements of the claim.

Regarding **claims 2 – 6 and 8**, these claims are allowed as being dependent from allowed independent claim 1.

Regarding independent **claim 9**, the prior art of record fails to teach or fairly suggest a primary instruction reader adapted to read at least one primary image manipulation instruction disposed in or on a primary manipulation instruction printed medium, the primary instruction reader being adapted to provide the at least one primary image manipulation instruction to the primary image manipulator, the primary image manipulator being adapted to manipulate the primary captured image to form the primary manipulated image in response to receiving the at least one primary image manipulation instruction; in combination with other elements of the claim.

Regarding **claims 10 - 16 and 18 - 20**, these claims are allowed as being dependent from allowed independent claim 9.

Regarding independent **claim 21**, the prior art of record fails to teach or fairly suggest manipulating the primary captured image using the primary image manipulator to form a primary manipulated image, comprising: (i) reading, using the primary instruction reader, the at least one primary image manipulation instruction disposed in or on the primary manipulation instruction printed medium; (ii) providing the at least one primary image manipulation instruction to the primary image manipulator; and (iii) manipulating the primary captured image, using the primary image manipulator and in accordance with the at least one primary image manipulation instruction, to form the primary manipulated image; in combination with other elements of the claim.

Regarding **claims 22 - 28 and 30 - 32**, these claims are allowed as being dependent from allowed independent claim 9.

Regarding independent **claim 33**, the prior art of record fails to teach or fairly suggest a manipulated image formed using the camera as claimed in claim 1 (Please see the discussion of claim 1 for reasons for allowance).

Regarding **claim 34**, this claim is allowed as being dependent from allowed independent claim 33.

Regarding independent **claim 35**, the prior art of record fails to teach or fairly suggest a secondary manipulated image formed using the camera system as claimed in claim 9 (Please see the discussion of claim 9 for reasons for allowance).

Regarding **claim 36**, this claim is allowed as being dependent from allowed independent claim 35.

Regarding independent **claim 37**, the prior art of record fails to teach or fairly suggest a secondary manipulated image formed by the method as claimed in claim 21 (Please see the discussion of claim 21 for reasons for allowance).

Regarding **claim 38**, this claim is allowed as being dependent from allowed independent claim 37.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usman Khan whose telephone number is (571) 270-1131. The examiner can normally be reached on Mon-Thru 6:45-4:15; Fri 6:45-3:15 or Alt. Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Usman Khan
1/22/2008
Patent Examiner
Art Unit 2622



DAVID OMETZ
SUPERVISORY PATENT EXAMINER